

From: Brent Johnson
To: Heather Mackenzie-Campbell
Date: 8/4/05 3:13PM
Subject: Re: Fwd: Deceased

A defendant's fines, fees and costs will expire upon death. An order is not required. We could simply note the death and close the case. Restitution is a different story. It appears as if restitution survives the death of the defendant. However, it probably only survives as a civil judgment. It should therefore be docketed civilly and collected in that manner.

>>> Heather Mackenzie-Campbell 07/26/05 12:35PM >>>
Brent,

See forwarded email for questions.

It has been my understanding that the debt (fine, restitution, etc.) expires with the defendant's death. In our audits, we have reviewed adjustments to accounts receivable and have seen a copy of the obituary or other proof of death in the case file. We haven't seen a judicial order.

Please advise and we can propose a policy/procedure in the accounting manual.

Thank you, Heather